

ARTICLE 9 SIGNS (proposed March 2020)

9.1 PURPOSE

The purpose of this article of the Zoning Bylaw is to:

1. Protect the public health, safety, convenience, comfort, general welfare and existing community character;
2. Prevent creation of hazards to public safety or nuisances, due to location, appearance, message or condition;
3. Provide Winchendon businesses a consistent opportunity to promote themselves as well as goods and services they offer; with reasonable consideration of aesthetics, lot size, building size, the type of traffic, nearby signs, and nearby land uses;
4. Provide guidance to businesses and residents to design signage that is attractive, positive and purposeful.
5. Any signs legally existing at the time of adoption of this bylaw may continue as a nonconforming use subject to the provisions of Section 6.2.4. Any replacement signs must be in compliance with this bylaw.

9.2 GENERAL PROVISIONS

- A. Permits Required: A building permit shall be required for the construction, erection, relocation or alteration of any sign except as specifically exempted by this section. A sign shall comply with all applicable zoning, building, electrical and fire codes. The Building Commissioner may require design changes or decline to issue a building permit if he determines the sign would be inappropriate as measured by the purposes of this bylaw. His decision shall be subject to appeal as is provided in Chapter 40A, section 8 of the Massachusetts General Laws.
- B. Maintenance of Signs: Every sign, whether requiring a permit or not, shall be maintained in a safe, presentable and structurally sound condition at all times, including the replacement of defective parts and painting and cleaning of said sign. The Building Commissioner may immediately remove or cause to be removed any sign deemed to be defective and/or to be a danger to public health or safety. The costs of said removal shall be charged to the owner of the property where said sign is located.
- C. Removal of unlawful signs in the Public Right of Way: The Building Commissioner may remove or cause to be removed any unlawful sign located in the public right of way.
- D. Except as otherwise permitted, all information conveyed by any permanent sign shall pertain to the premises on which the sign is located.
- E. Violation of the provisions of this bylaw may be punishable by a fine not to exceed \$100, and each day a violation occurs shall be considered a separate offense.

9.3 EXEMPT SIGNS

The following signs are allowed without a permit.

- A. One sign advertising the sale, lease, or rental of the premises upon which the sign is located, which sign shall not exceed six square feet in area.
- B. One sign not exceeding 8 square feet on a building or project under construction, repair, or renovation identifying the contractor, architect, and/or owner, said sign not to be erected for a period to exceed 60 days.
- C. Two non illuminated window display signs of less than 4 square feet each.
- D. Local event advertising of a temporary nature (e.g. yard sales, sales, reunions) must be located on the premises of the sponsoring organization or at the location of the special event. Such signs may be posted no more than 30 days prior to an event and shall be removed within forty-eight hours of the end of the event.
- E. Political signs, erected in accordance with state law.

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- F. Signs that are not intended to be read from the highway and/or adjacent property and that do not exceed one square foot in area. These include, but are not limited to, head-in parking, rest room signs, trail markers, “keep off the grass”, “beware of dog”, etc.
- G. Markers indicating the street number or address of a building as required by general bylaw are allowed. Such may be mounted to the front of a building, lamp post or similar post in the front yard not to exceed (1) one square foot in area. A building with multiple dwelling units shall allow each dwelling unit that has a separate outside entrance to have one sign of not more than one square foot. This may be a wall sign, hanging sign or projecting sign. The sign height shall not exceed 10 feet above ground level.
- H. Temporary or permanent signs, including banners or mobile notice boards, erected and maintained by the Town, County, State or Federal Government for traffic direction, direction to or identification of an historic site, government facility or event

9.5 SIGNS PROHIBITED IN ALL ZONES

Abandoned or unsafe signs.
 Beacons and searchlights, blinking, flashing, intermittently lighted, moving, animated or rotating signs or devices;
 Signs on public property attached to any tree, utility pole or fence;
 Any sign or other feature that may constitute a traffic hazard or a detriment to public safety or may be confused with a traffic control signal or device or the light of an emergency or road equipment vehicle;
 Signs painted directly onto buildings, rocks, trees or the ground, with the exception of the demarcation of parking spaces reserved for the disabled;
 Signs or parts thereof that are erected within or above a public right of way, except as may be permitted by the Board of Selectmen.

9.6 SPECIFICATIONS APPLYING TO ALL SIGNS

Permits are required for all non-exempt signs. Whether to allow such sign(s), the location(s) thereof, and the content of the sign(s) shall be at the discretion of the Building Commissioner subject to appeal to the Board of Appeals. The decision shall be made on the basis of a demonstrated need for the sign(s) and the appropriateness of the proposed location(s) and proposed design(s).
 Posts or brackets supporting a sign shall not be regarded as part of the sign unless the posts or brackets contain lettering or are decorated so as to attract attention to the sign.
 Two face signs which are mounted perpendicular to the street from which they are primarily visible and have the same or similar message on each side shall be regarded as one sign, with the total area of each face counting toward the permissible sign size.
 Where a sign is adjacent to a paved surface accessible to vehicular traffic, a raised non-mountable curb to prevent the encroachment of vehicles shall be required.
 No freestanding or projecting sign shall be located within (50) fifty feet of another freestanding or projecting sign.
 Home based businesses may have a single sign with area not to exceed six (6) square feet

ILLUMINATED SIGNS

- I. Non-exempt signs may be externally illuminated using white light the area of which is limited to the sign face only.
~~The area of a sign illuminated from within or electronic message shall be calculated as twice the actual area. (SEE EXAMPLE A.9.6.7) only.~~
- J. Non-exempt signs that are internally illuminated shall ~~xxx~~

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K. Awning signs may not be illuminated internally or externally. ~~The area of a sign illuminated from within shall be calculated as twice the actual area. (SEE EXAMPLE A.9.6.7)~~

TYPES OF SIGNS

Projecting signs:

- shall be mounted or installed with a minimum clearance of (9) nine feet above the ground under the sign.
- the maximum height of a projecting sign shall be (15) fifteen feet above ground.
- shall not extend within twenty-four (24) inches of the curb line of any street.
- shall not exceed twelve (12) square feet in total sign face.

Wall signs:

- A non-exempt window display sign shall be considered a wall sign
- shall not extend more than twelve inches from the wall of the building to which it is mounted,
- shall not extend beyond the limits of the wall to which it is attached,
- shall have hidden structural supports..
- The aggregate area of signs on any single building shall not exceed forty (40) square feet in sign area.

Pole Signs:

- a. shall be permissible only in Highway Commercial (C1) and Industrial (I) districts.
- b. shall not be allowed on any lot with less than (75) seventy-five feet of frontage on a public right of way.
- c. only one (1) pole sign shall be allowed on a premise.
- d. The pole sign shall not exceed sixty-four (64) square feet in sign face.
- e. Pole signs shall be a maximum height of twenty five (25) feet above the ground No portion of the sign face shall be below 12 feet above ground. No portion of the pole sign may restrict visibility.

Ground mounted:

- f. shall not be allowed on any lot with less than ~~(50/75)~~ seventy-five-fifty feet of frontage on a public right of way.
- g. Only one (1) sign shall be generally permitted on each parcel. A parcel containing twice the required frontage for the district in which it is located shall be allowed to have two (2) such signs.
- h. The sign height shall not exceed 10 feet above ground level.
- i. The allowed sign area shall not exceed thirty-two (32) square feet in sign face area.

Permanent subdivision signs:

- j. may be erected subject to the following requirements:
- k. One (1) ground sign may be erected at each major entrance to a subdivision.
- l. The sign face shall not exceed (16) sixteen square feet in sign area and (6) six feet in height.
- m. Each sign base shall be landscaped in an area equal to the total sign area.

Off premises directional signs

- n. Allowed in non-residential zones only
- o. Requires permission of the DPW Director
- p. Sign face area shall be included in the basic sign area for the property to which it relates.
- q. The area of such sign shall be no more than eight (8) square feet.

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Commented [TM5R4]: The downtown used to have 50' of frontage, think there are properties that 75' may adversely effect.

Commented [AM6R4]: We can stick with 50'

Commented [TM7]:

Commented [TM8]: May need to spell out that they can't be combined into one.....or can they through SP?????

Commented [AM9R8]: I think allowing 2 signs may be visually cluttered. We could consider increasing the allowed area in i.

- r. Only one such sign may be located within fifty (50) feet of any intersection and may not reduce visibility for drivers or pedestrians.
- s. No business may have more than three such signs.